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C O N F I D E N T I A L SECTION 01 OF 03 MOSCOW 000321

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NSC FOR HSOLOMON

E.O. 12958: DECL: 02/12/2020
TAGS: [ETRD](#) [EAGR](#) [ECON](#) [PREL](#) [RS](#)
SUBJECT: ONISHCHENKO'S REPLY TO USDA U/S MILLER ON U.S.
POULTRY EXPORTS

REF: A. MOSCOW 227
[1](#)B. MOSCOW 104
[1](#)C. 09 MOSCOW 3054

Classified By: ECON M/C Matthias Mitman

[1](#)1. (C) Summary: On February 11 post received a copy of Onishchenko's response to USDA U/S Miller's letter laying out possible solutions to Russia's ban on U.S. poultry. Onishchenko responds to each of the conditions laid out in Miller's letter, agreeing to some, and deferring others to technical committees. He also calls for a second round of discussions in which to work out the details of the proposals laid out by both sides. Deputy PM Zubkov's recent positive statements on the poultry dialogue indicate that our political efforts on this issue may be leading to a solution. That said, any U.S. strategy to resolve this issue will need to address concerns of both the Russians who want trade and those with more protectionist aims. End Summary.

[1](#)2. (U) On February 11, post received a copy of Gennadiy Onishchenko's, Head of Russia's Federal Service for Supervision and Consumer Rights Protection and Human Welfare (Rospotrebnadzor), response to USDA U/S Miller's letter presenting possible solutions to Russia's current ban on U.S. poultry exports due to the use of chlorine. This exchange of letters completes the exchange agreed to during the January 19-20 discussions. We attach below an informal Embassy translation of the letter.

[1](#)3. (U) Begin informal translation of letter

Ministry of Health and Social
Development of the Russian Federation

FEDERAL SERVICE
for Surveillance on Consumer Rights Protection
and Human Well-being (Rospotrebnadzor)

To:
Mr. James W. Miller
US Department of Agriculture
Under Secretary
Farm and Foreign Agricultural Services
Washington D.C., 20250

Date: February 05, 2010
Ref. 01/1566-0-39

Dear Mr. Miller,

Thank you for your letter of 26 January 2010 containing constructive proposals regarding the shift by U.S. establishments to production technology of poultry meat exported to Russia that conform to Russian law forbidding use of chlorine-based solutions for disinfection. Your ideas correspond in many respects to the proposals laid out in my letter of 25 January 2010 prepared in accord with our agreements at the conclusion of negotiations 19-20 January in Moscow.

In connection to this I welcome the positive approach in your letter directed at introduction of new methods, re-equipping of production facilities, change of technological processes, as well as checking the effectiveness of the food safety assurance system such that it meets Russian Federation and U.S. requirements.

I express readiness in short order to continue discussion of further joint work on the cessation by the American industry of using chlorine-based solutions in technological production processes of poultry meat and shift of U.S. establishments producing poultry meat for export to Russia to new technologies.

In regard to observing the series of conditions you noted in the letter for U.S. industry to cease using chlorine-based solutions I inform you of the following:

¶1. In the Russian Federation, as in the U.S., potable water

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is permitted for use during the whole process of processing poultry meat. The subject of our future negotiations could be determining precisely Russian and American approaches to requirements for content of residual chlorine at all stages: water treatment, delivery and use, in order to harmonize parameters set by law.

¶2. As discussed during the negotiations, and as stated in my letter of 25 January 2010, we are ready to consider the possibility of using other disinfectant solutions that do not contain chlorine for processing poultry meat that are registered and permitted in the U.S. In this regard, I would especially wish to thank you for the list of substances presented that are permitted in the U.S. for disinfection, and methods of their use. The list will be reviewed by Russian experts for study and receipt of a qualified response, which of the given substances are registered and permitted in Russia, and thus, may be used for processing poultry meat, which will significantly accelerate our further work.

¶3. In the course of our meeting in Moscow we discussed in detail the issue of using chlorine-based substances for processing tools and equipment at poultry processing establishments. The Russian and American sides underscored that technologies of similar use of chlorine-based solutions completely preclude contamination of poultry meat with chlorine. I consider that our experts should study this jointly and specify which methods of treating tools and equipment will permit this condition to be observed.

¶4. Regarding your proposal that chlorine-based solutions might be used in limited quantities for treating poultry carcasses with visible contamination, I consider it important to note the following: Visible contamination of poultry carcasses occurs extremely rarely and is an indicator of a low level of observance of sanitary-hygienic conditions of production.

Strict observance of technologies and of sanitary-hygienic requirements for poultry meat production will permit avoidance of contamination and the need to use chlorine for treatment of poultry meat during its production. This issue

could become one of the topics for expert dialog and our follow-on discussion.

15. I underscore that the Russian position regarding "transition period" is based on the understanding that "transition period" means the time needed for the shift of U.S. production to poultry carcass processing technologies in conformance with Russian law. Criteria, deadlines and conditions of the transition period should be a topic of the next stage of our negotiations, which in our opinion need to be conducted in the nearest future.

16. Regarding the issue of microbial contamination of poultry meat, discovered after processing, I share your viewpoint that reduction of microbial contamination is one of the most important tasks for safety assurance that might be resolved via fulfillment of requirements for thermal processing or directing to industrial processing, since that conforms to Russian law.

17. I support the proposal to create a joint Russian-American expert group for the exchange of information on issues of safety and effectiveness of poultry meat processing.

The Russian side is intent on constructive discussion of the most complex issues through scientific exchange, exchange of specialists, development of cooperation between our producers, directed at the extension of more contemporary technologies of disinfection and assurance of food safety and food production for protection of human health and the environment. I wish again to underscore that joint work in this direction should be based on this, that use of disinfectant solutions may not be used in order to compensate for a low level of sanitary-hygienic production conditions.

All issues touched on above, including those in my letter of 25 January 2010, require detailed discussion, in which regard

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I am ready in the nearest future to continue our negotiations and to discuss Russian and American proposals, directed at the shift of U.S. production to technologies of poultry meat processing meeting Russian law.

I consider that Russian-American negotiations on this issue could continue in Moscow in the current month.

Regards,

Chief Sanitary Officer and
Head of Federal Service for
Surveillance on
Consumer Rights Protection and
Human Well-being

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18. Onishchenko

End informal translation

14. (C) In his letter Onishchenko does not specifically address the first option laid out in U/S Miller's letter, developing a Maximum Residue Level for chlorine and chlorine by-product residues. Furthermore, Onishchenko does not address the potential release of 40,000 MT of poultry, loaded for export in 2009 and currently stuck in Russian ports. During the January 19-20 discussions, Onishchenko agreed to allow these poultry imports into the country. However, in a letter to our Agriculture Minister Counselor dated January 8, Onishchenko indicated that a solution should be left for further negotiation and be a part of the agreed "transition period."

Comment

15. (C) Onishchenko's letter is technical and critical of overall U.S. processing procedures, and brings us no closer

than the January 19-20 discussions to solving the current poultry trade dispute. However, Deputy Prime Minister Zubkov's recent positive statements in the press about the U.S.-Russia dialogue on poultry seem to indicate that our multiple, high-level conversations on this issue are bearing fruit. Zubkov has stated that both sides are acting responsibly and rationally and working toward a solution to the issue.

¶6. (C) Despite Zubkov's statements, this issue continues to aggravate our overall bilateral relationship, to the point where senior GOR officials such as Minister Of Economic Development Nabiullina are unwilling to take calls or agree to meetings for fear we will raise poultry. Our conversations with Russian interlocutors on poultry indicate that there is a clear bifurcation in Russia's approach to this issue, as well as trade overall, between those who support trade liberalization and those who do not. And often, those Russians who promote foreign trade and investment find their efforts to open up Russia stymied by those who want to protect local industry. For example, in the last week the press has been full of resolutions from President Medvedev aimed at improving Russia's investment climate (septel), yet the government keeps in place tariff and non-tariff barriers limiting trade in favor of local industry. As we set out our strategy for resolving the poultry issue, we need to develop a two-pronged approach that both helps the Russians who want trade and investment and allays the fears of those whose objective appears to be economic self-sufficiency, especially in food-stuffs.
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